Criminal Misc. App. No. 759 of 2006

Hon. Prafulla, C. Pant, J.

Heard Shir Ullah Siddiquie, learned counsel for the applicant and perused the papers on record.

Brief facts of the case, are that applicant, who was a teacher in Queen's Public School, Haldwani, gave beating to a young child of Class-III, who suffered serious injury on his eye. After investigation, charge sheet, has already been filed before the trial court. This Court, in its jurisdication under Section 482 of Code of Criminal Procedure, 1973, cannot examine the half-baked evidence, as tot he correctness of the allegations and reliability of the evidence. What is to be seen is whether the ingredients of the offence, are made out or not.

After considering the facts and circumstances of the case, it is not a fit case in which charge sheet requires to be quashed.

Therefore, petition under Section 482 Cr. P.C., is dismissed with the observation that if the applicant is arrested or surrenders before the court, her bail application, shall be heard by the court concerned without unreasonable delay. (All pending applications in this case, also stands disposed of).

(P.C. Pant, J.)

Dt. 25.09.2006
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